

*Charter*

November 13, 2004 — November 13, 2006

## NATIONAL PARK SERVICE CONCESSIONS MANAGEMENT ADVISORY BOARD

## A. DESIGNATION.

The official designation of the committee is the National Park Service Concessions Management Advisory Board (Board).

## B. PURPOSE.

The purpose of the Board is to advise the Secretary of the Interior and the National Park Service on matters relating to management of concessions in the National Park System.

## C. DUTIES AND RESPONSIBILITIES.

The duties of the Board are solely advisory, and are as stated in paragraph B above. Specifically, the Board will:

## 1. Provide advice on each of the following:

- a. Policies and procedures intended to assure that services and facilities provided by concessioner are necessary and appropriate, meet acceptable standards at reasonable rates with a minimum of impact on park resources and values, and provide the concessioners with a reasonable opportunity to make a profit; and
- b. Ways to make National Park Service concessions programs and procedures more cost effective, more process efficient, less burdensome, and timelier.

## 2. Make recommendations to the Secretary regarding each of the following:

- a. National Park Service contracting with the private sector to conduct appropriate elements of concessions management and providing recommendations to make more efficient, less burdensome, and timelier the review or approval of concessioner rates and charges to the public;
- b. The nature and scope of products which qualify as Indian, Alaska Native, and Native Hawaiian handicrafts; and
- c. The allocation of concession fees.

## D. ANNUAL REPORT.

The Board must provide an annual report on its activities to the Committee on Resources of the United States House of Representatives and the Committee on Energy and Natural Resources of the United States Senate.

## E. MEMBERSHIP.

1. Membership of the Board will be composed of seven individuals appointed by the

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Secretary of the Interior from among citizens of the United States not in the employment of the Federal Government and not in the employment of or having an interest in a National Park Service concession operation. The seven members will be as follows:

- a. One member privately employed in the hospitality industry having both broad knowledge of hotel or food service management and experience in the parks and recreation concessions business to represent the hospitality industry's interests;
  - b. One member privately employed in the tourism industry to represent the tourism industry's interests;
  - c. One member privately employed in the accounting industry to represent the accounting industry's interests;
  - d. One member privately employed in the outfitting and guide industry to represent the outfitting and guide industry's interests;
  - e. One member a State government employee with expertise in park concession management to represent State governments;
  - f. One member active in promotion of traditional arts and crafts to represent traditional arts and crafts' interests; and,
  - g. One member active in a nonprofit conservation organization involved in parks and recreation programs to represent nonprofit conservation organization's interests.
2. Members will be appointed on a staggered basis for terms not to exceed 4 years and will serve at the pleasure of the Secretary. A member may serve after the expiration of his or her term until a successor has been appointed.
  3. A majority of members of the Board will constitute a quorum.
  4. Any member of the Board who fails to attend three consecutive meetings of the Board, or who otherwise fails to substantively participate in the work of the Board, may be removed from the Board by the Secretary and a replacement named.
  5. Members of the Board will receive no pay, allowances, or benefits by reason of their service on the Board. However, while away from their homes or regular places of business in the performance of services for the Board as approved by the Designated Federal Official, members will be allowed travel expenses, including per diem in lieu of subsistence, in the same manner as persons employed intermittently in government service are allowed such expenses under Section 5703 of Title 5 of the United States Code.

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6. Service of individuals as members of the Advisory Board will not be considered as service or employment bringing such individuals within the provisions of any Federal law relating to conflicts of interest or otherwise imposing restrictions, requirements, or penalties in relation to the employment of persons, the performance of services, or the payment or receipt of compensation in connections with claims, proceedings, or matters involving the United States. Service as a member of the Board will not be considered service in an appointive or elective position in the Government for purposes of section 8344 of title 5, United States Code, or other comparable provisions of Federal law.

F. ETHICS RESPONSIBILITIES OF MEMBERS.

A member may not participate in matters that will directly affect, or appear to affect, the financial interests of the member or the member's spouse or minor children, unless authorized by the DFO. Compensation from employment does not constitute a financial interest of the member so long as the matter before the Board will not have a special or distinct effect on the member or the member's employer, other than as part of a class. The provisions of this paragraph do not affect ethical obligations to which a member may be subject.

G. ADMINISTRATION.

1. CHARTER. The Board is subject to the provisions of the Federal Advisory Committee Act (FACA), 5 U.S.C. Appendix (1994). The Board will take no action unless the charter filing requirements of sections 9 and 14(b) of FACA have been complied with. The Board is subject to rechartering every biennial anniversary of November 13, 1998, the date Public Law 105-391 was enacted.
2. DESIGNATED FEDERAL OFFICIAL. The Board reports to the Director of the National Park Service, U.S. Department of the Interior, Washington, DC. The Director, or a Federal employee designated by the Director, will serve as the Designated Federal Official (DFO) for purposes of Section 10 of the FACA.
3. CHAIRPERSON. The Secretary will designate a member of the Board to serve as Chairperson.
4. SUPPORT AND COSTS. Support for the Board will be provided by the National Park Service. The estimated annual operating cost of the Board is \$75,000, which includes the cost of 1/4 work-year of staff support.
5. MEETINGS. The Board will meet approximately two times a year, although it may convene more often if there is an immediate need for consultation, advice and review. All meetings of the Board will be subject to the provisions of the FACA. No Advisory Committee member, and no member of any subgroup of this Committee, shall participate in any matter in which the member has a financial interest.
6. SUBCOMMITTEES. In carrying out its duties, the Board may form subcommittees

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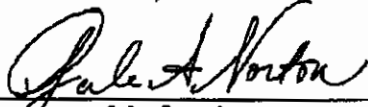
drawn in whole or in part from the full Board, provided that the role of such subcommittees will be merely to provide information and recommendations for consideration by the full Board. Any such subcommittees will be chaired by a voting member of the Board. Membership on subcommittees and meetings of subcommittees are subject to approval by the Designated Federal Official.

#### H. DURATION OF THE BOARD AND DATE OF TERMINATION.

The Board will require approximately 10 years to accomplish its purpose. Pursuant to Public Law 105-391, the Board will terminate December 31, 2008. All appointments will terminate with the Board.

#### I. AUTHORITY.

This is a Federal advisory committee established by Title IV, Section 409 of Public Law 105-391, the National Parks Omnibus Management Act of 1998, November 13, 1998.



Secretary of the Interior

SEP 3 2004

Date Signed

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FILED